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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/401,251	09/23/1999	CATHERINE M. KEENE	021756-047400US	4434
20350 7590 09/25/2008 TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834				
EXAMINER PHAM, HUNG Q				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/401,251

Applicant(s)

KEENE ET AL.

Examiner

HUNG Q. PHAM

Art Unit

2169

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Terminal Disclaimer

The terminal disclaimer filed on 06/22/06 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of Application 10/660,296 (USP 7,401,082) has been reviewed and is accepted. The terminal disclaimer has been recorded.

Response to Arguments

- Applicant's arguments filed 07/09/2008 with respect to claim 20 under 35 U.S.C. § 103 have been fully considered but they are not persuasive.

As argued by applicant (Remarks, Page 8):

Neither Gervais nor Win nor any combination thereof teaches the system recited in independent claim 20. Gervais is directed to a business-to-business portal that organizes access to extended business applications. (Gervais: Abstract). Applicants could not find (and the Office Action does not identify) any disclosure in Gervais that teaches or suggests, for example, "wherein the set of privileges are defined by the second business entity based on one or more business agreements between the second business entity and one or more third business entities in the plurality of business entities for handling confidential information in the product supply chain" as recited in claim 20.

.....

Accordingly, Win also fails to teach or suggest "wherein the set of privileges are defined by the second business entity based on one or more business agreements between the second business entity and one or more third business entities in the plurality of business entities for handling confidential information in the product supply chain" as recited in claim 20.

For at least the foregoing reasons, Applicants respectfully submit that independent claim 20 is allowable over Gervais and/or Win.

The examiner respectfully disagrees.

The Gervais system and method allows the EnterpriseXspan Server to provide secure access to collaborative applications throughout enterprises including business partners and

suppliers across supply chains (Gervais, Col. 4 Lines 29-42). A system administrator is allowed to give a desired number of user slots to a supplier and give the supplier access to manage these tokens. The supplier can then assign tokens to resource users by creating new username and passwords (Gervais, Col. 5 Lines 1-9). Users are added, deleted or access levels altered by resource managers. User access is controlled by group documents in Name and Address Book. Companies benefit from the ability to see "who" has access to "what" applications throughout the supply chain or the extended enterprise (Gervais, Col. 4 Lines 55-65). User identities are checked and authenticated via a Name and Address Book (Gervais, Col. 10 Lines 1-5). The documents in Gervais system and method have fields to determine who can read and edit the documents. The fields contain user names or collection of users, which are in Name and Address Book. If a user's name is not in the fields then that document will not appear to that user (Gervais, Col. 10 Lines 6-13). Nested group could be used to control access. If "Group A" is listed among "Group B", then the members of "Group A" will have access to all documents that list "Group B" in their Reader or Author names fields (Gervais, Col. 10 Lines 34-45).

In view of Gervais teaching, an enterprise A uses the Gervais system and method to extend its business with Group A and B, e.g., suppliers A and B. The enterprise is *third business entity*. Group A, e.g., Supplier A, is *the first business entity*. Group B, e.g., Supplier B, is *the second business entity*. Using this real life scenario, the Gervais teaching reads on the claimed limitation *the set of privileges are defined by the second business entity*, e.g., read and write are defined by the resource manager of Group B, e.g., Supplier B, *based on one or more business agreements between the second business entity and one or more third business entities in the plurality of business entities*, e.g., the agreement of number slots of access between Group B, e.g., Supplier B, and the Enterprise, *for handling confidential information in the product supply chain*, e.g., the purpose is to handle access to a confidential document in the supply chain.

For at least the foregoing reasons, claim 20 is unpatentable over Gervais.

- Independent claims 27 and 34 recite features that are substantially similar to independent claim 20, and are unpatentable over Gervais for at least a similar rationale as discussed for claim 20.
- Dependent claims 21-26, 28-33 and 35-40 are unpatentable for at least the reasons as discussed above with respect to claim 20.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 20-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Gervais et al. [US 6,381,579 B1].

Regarding claims 20, 27 and 34, Gervais teaches a method system and program for sharing data among a plurality of business entities involved in a product supply chain, the method, system and program comprising:

receiving, from a user affiliated with a first business entity in the plurality of business entities, a request to access a data object in a plurality of data objects (User are identified and authenticated with user id and password (Gervais, Col. 6 Lines 18-20). The documents in Gervais system and method have fields to determine who can read and edit the documents. The fields contain user names or collection of users, which are in Name and Address Book. If a user's name is not in the fields then that document will not appear to that user (Gervais, Col. 10 Lines 6-13). Nested group could be used to control access. If "Group A" is listed among "Group B", then the members of "Group A" will have access to all documents that list "Group B" in their Reader or Author names fields (Gervais, Col. 10 Lines 34-45)). As shown in FIG. 5, "Xspan Briefing Center" includes "AAA Supplier Network", "Project Alpha" and "Project Omega". The Gervais teaching indicates the claimed limitation *receiving, from a user affiliated with a first business entity in the plurality of business entities, a request*, e.g., a user of Group A makes a request via user ID and password, *to access a data object in a plurality of data objects*, e.g., the request is to access a user of Group A requests to access to "Xspan Briefing Center" resource as *a data object* and "Xspan Briefing Center" is just one example of a plurality of other similar "Xspan Briefing Centers" as *a plurality of data objects*), *wherein the data object includes a plurality of predefined data groups, and wherein the data object is owned by a second business entity in the plurality of business entities* ("Xspan Briefing Center" includes "AAA Supplier Network", "Project Alpha" and "Project Omega", and owned by Group B); *extracting from the request a user identifier that uniquely identifies the user* (Col. 10 Lines 1-5); *retrieving a set of privileges associated with the data object and the user identifier, the set of privileges including read privileges identifying one or more predefined data groups of the data object that the user is allowed to view* (Col. 10 Lines 6-14); *determining, based on the read privileges, one or more predefined data groups of the data object that the user is not allowed to view* (Col. 10 Lines 6-14);

generating a redacted version of the data object, wherein the redacted version of the data object does not include the one or more predefined data groups of the data object that the user is not allowed to view (As disclosed by Gervais, if a user's name is not in the Reader Names field of Name and Address Book, then that document will not appear to the user through an interface (Gervais, Col. 10 Lines 10-13). Thus, "Xspan Briefing Center" with the documents that will not appear is a redacted version of the data object, wherein "Xspan Briefing Center" does not include documents that the user does not have access to them); and

transmitting the redacted version of the data object to the user (FIG. 5), wherein the set of privileges are defined by the second business entity based on one or more business agreements between the second business entity and one or more third business entities in the plurality of business entities for handling confidential information in the product supply chain (The Gervais system and method allows the EnterpriseXspan Server to provide secure access to collaborative applications throughout enterprises including business partners and suppliers across supply chains (Gervais, Col. 4 Lines 29-42). A system administrator is allowed to give a desired number of user slots to a supplier and give the supplier access to manage these tokens. The supplier can then assign tokens to resource users by creating new username and passwords (Gervais, Col. 5 Lines 1-9). In view of Gervais teaching, an enterprise A uses the Gervais system and method to extend its business with Group A and B, e.g., suppliers A and B. The enterprise is third business entity. Group A, e.g., Supplier A, is the first business entity. Group B, e.g., Supplier B, is the second business entity. Using this real life scenario, the Gervais teaching reads on the claimed limitation the set of privileges are defined by the second business entity, e.g., read and write are defined by the resource manager of Group B, e.g., Supplier B, based on one or more business agreements between the second business entity and one or more third business entities in the plurality of business entities, e.g., the agreement of number slots of access between Group B, e.g., Supplier B, and

the Enterprise, *for handling confidential information in the product supply chain*, e.g., the purpose is to handle access to a confidential document in the supply chain).

Regarding claims 21, 28 and 35, Gervais teaches all of the claimed subject matter as discussed above with respect to claims 20, 27 and 34, Gervais further discloses *the plurality of predefined data groups include a group of attributes of the data object and a group of documents associated with the data object* (Gervais, FIG. 5).

Regarding claims 22, 29 and 36, Gervais teaches all of the claimed subject matter as discussed above with respect to claims 21, 28 and 35, Gervais further discloses *the plurality of predefined data groups include a group of links to other data objects in the plurality of data objects* (Gervais, FIG. 5).

Regarding claims 23, 30 and 37, Gervais teaches all of the claimed subject matter as discussed above with respect to claims 20, 27 and 34, Gervais further discloses *the data object includes data selected from a group consisting of: product design data, product development data, product supply chain data, business relationship data, business agreement data, bill of material data, change order data, product cost data, product specifications data, and product supplier data* (Gervais, FIG. 5).

Regarding claims 24, 31 and 38, Gervais teaches all of the claimed subject matter as discussed above with respect to claims 20, 27 and 34, Gervais further discloses *the set of privileges includes write privileges identifying one or more predefined data groups of the data object that the user is allowed to modify* (Gervais, Col. 9 Lines 60-67 and Col. 11 Line 25-Col. 12 Line 26).

Regarding claims 25, 32 and 39, Gervais teaches all of the claimed subject matter as discussed above with respect to claims 20, 27 and 34, Gervais further discloses *the set of privileges includes delete privileges identifying one or more predefined data groups of the data object that the user is allowed to delete* (Gervais, Col. 9 Lines 60-67 and Col. 11 Line 25-Col. 12 Line 26).

Regarding claims 26, 33 and 40, Gervais teaches all of the claimed subject matter as discussed above with respect to claims 20, 27 and 34, Gervais further discloses *the set of privileges includes a privilege that allows the user to add new data groups to the data object* (Gervais, Col. 9 Lines 60-67 and Col. 11 Line 25-Col. 12 Line 26).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUNG Q. PHAM whose telephone number is 571-272-4040. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JAMES K. TRUJILLO can be reached on 571-272-3677. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/HUNG Q. PHAM/
Primary Examiner
Art Unit 2169

September 22, 2008